

SB0037



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB0037

Introduced 1/10/2013, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

New Act

Creates the Food Allergy Awareness Act. Provides that each retail food establishment in this State shall (1) prominently display a poster relative to food allergy awareness and developed by the Department of Public Health in the staff area and (2) include on all menus a Department-approved notice to customers of the customer's obligation to inform the server about any food allergies. Provides that a certified food service sanitation manager who supervises the operations of a retail food establishment shall, in order to obtain his or her certification, view as part of an otherwise approved certified food service sanitation manager education program a video concerning food allergies. Provides that the Department shall develop a program for restaurants to be designated as Food Allergy Friendly. Requires the Department to submit a report to the General Assembly concerning the impact of the provisions of the Act. Contains other provisions.

LRB098 02908 RPM 32920 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning public health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Food
5 Allergy Awareness Act.

6 Section 5. Definition. In this Act, "Department" means the
7 Department of Public Health.

8 Section 10. Food allergies; publication.

9 (a) Each retail food establishment in this State shall do
10 the following:

11 (1) prominently display a poster relative to food
12 allergy awareness in the staff area; the poster shall
13 provide, but not be limited to, information regarding the
14 risk of an allergic reaction; the poster shall be developed
15 and approved by the Department; and

16 (2) include on all menus a notice to customers of the
17 customer's obligation to inform the server about any food
18 allergies; the Department shall develop the language of the
19 notice.

20 (b) A certified food service sanitation manager who
21 supervises the operations of a retail food establishment shall,
22 in order to obtain his or her certification, view as part of an

1 otherwise approved certified food service sanitation manager
2 education program a video concerning food allergies. The
3 Department shall approve the video. The Department shall also
4 require that any certified food service sanitation manager
5 examination offered by an accredited program recognized by the
6 Department shall include questions concerning food allergies
7 as they relate to food preparation. Any person designated as an
8 alternate person in charge shall, in addition to existing
9 requirements, also be knowledgeable with regard to the relevant
10 issues concerning food allergies as they relate to food
11 preparation.

12 (c) A retail food establishment or person that violates
13 this Section shall be subject to any penalties available under
14 this Act and any rules adopted pursuant to this Act.

15 (d) The Department may adopt rules to carry out this
16 Section.

17 (e) This Section does not establish or change any private
18 cause of action. This Section does not change any duty under
19 any other statute or the common law, except as this Section
20 expressly provides.

21 Section 15. The Food Allergy Friendly Program. The
22 Department shall develop a program for restaurants to be
23 designated as Food Allergy Friendly and shall maintain a
24 listing of restaurants receiving such designation on the
25 Department's Internet website. Participation in the program

1 shall be voluntary and the Department shall issue guidelines
2 and requirements for restaurants to receive such designation,
3 provided that the requirements shall include, but not be
4 limited to, maintaining on the premises and making available to
5 the public a master list of all the ingredients used in the
6 preparation of each food item available for consumption.

7 Section 20. Report. No earlier than 12 months after the
8 effective date of this Act and no later than 24 months after
9 the effective date of this Act, the Department shall submit a
10 report to the General Assembly which shall include an analysis
11 of the impact of the provisions of this Act. The report shall
12 include, but not be limited to, compliance of restaurants with
13 this Act and proposed changes to this Act consistent with the
14 public health and welfare.